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12 || Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

16 LORRY WAGNER, On Behalf of Himself and) No. C-01-3951-JL
17 All Others Similarly Situated,)
18 Plaintiff,) CLASS ACTION
19 vs.)
20 LOUDCLOUD, INC., GOLDMAN SACHS &)
21 CO., MORGAN STANLEY & CO. INC.,)
22 THOMAS WEISEL PARTNERS LLC, EPOCH)
23 SECURITIES, INC., ALLEN & COMPANY)
24 INC., CIBC WORLD MARKETS CORP.,)
25 DAIN RAUSCHER INCORPORATED,)
26 RAYMOND JAMES & ASSOCIATES, INC.,)
27 ROBERTSON STEPHENS, INC., WIT)
SOUNDVIEW CORP., MARC L.)
ANDREESSEN, BENJAMIN A. HOROWITZ,)
RODERICK M. SHERWOOD III, WILLIAM)
V. CAMPBELL, MICHAEL S. OVITZ and)
ANDREW S. RACHLEFF,)
Defendants.)

1 TO: THE COURT AND ALL PARTIES OF RECORD

2 Pursuant to Local Rule 3-12, plaintiff hereby gives notice of the following related action now
 3 pending in the Northern District:

<u>Case Name</u>	<u>Case No.</u>	<u>Filing Date</u>
<i>Molholt v. Loudcloud, Inc., et al.</i>	C-01-20919-JF	09/28/01

4
 5 The above action appears to arise from the same or substantially identical transactions, happenings
 6 or events, and calls for determination of the same or substantially identical questions of law and fact.
 7 This action is alleged as a class action and asserts claims for alleged violation of the federal
 8 securities laws.

9
 10 WHEREFORE, plaintiff requests:

11 1. That this action, *Wagner v. Loudcloud, Inc., et al.*, be assigned to the Honorable
 12 Jeremy Fogel, the Judge assigned to the low-numbered action, *Molholt v. Loudcloud, Inc., et al.*; and
 13
 14 2. That all subsequent related actions be assigned to the Honorable Jeremy Fogel.

15 DATED: October 25, 2001

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11 Attorneys for Plaintiff
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DECLARATION OF SERVICE BY MAIL

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and a resident of the County of San Diego, over the age of 18 years, and not a party to or interest in the within action; that declarant's business address is 600 West Broadway, Suite 1800, San Diego, California 92101.

2. That on October 25, 2001, declarant served the NOTICE OF RELATED CASE by depositing a true copy thereof in a United States mailbox at San Diego, California in a sealed envelope with postage thereon fully prepaid and addressed to the parties listed on the attached Service List.

3. That there is a regular communication by mail between the place of mailing and the places so addressed.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 25th day of October, 2001, at San Diego, California.

CORINNE N. SWEAT